IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T. & I. J.

NOTICE OF MOTION NO.8 OF 2006

IN

SUIT NO.9 OF 2002

IN

PETITION NO.997 OF 1999

...

Sunita D'souza ...Plaintiff

v/s.

Yolanda D. Ferrow ...Defendant

and

Indian Bank ...Respondents

...

Ms.H.B.Gandhi for the Plaintiff.

Mrs.A. Lambay i/b Lambay & co. for the Defendant.

Mr.T.V.Ganesh i.b Ganesh & Co. for the Respondent in support.

...

CORAM: D.K.DESHMUKH, J.

DATED: 25TH AUGUST,2006

P.C.:

Basically by this motion the Respondent/bank asked for modification of the order dated 23rd December, 2005 passed in Notice of Motion 173 of 2005. That order reads as under:-

> "Heard both sides.
>
> The bank is directed to carry out directions passed in order dated 23-7-2003 within 10 days."

It is common ground before me that the date of the order impugned in the order as 23-7-2003 is a typographical error. Correct date is 3-7-2003. It is also common ground before me that by the order dated 3-7-2003 there is no directions issued to the Bank.

In view of this common ground, obviously order dated 23rd December, 2005 could not have been made and therefore that order is cancelled. Motion disposed

of.

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